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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

STEPHEN KIRBY, an individual,
Petitioner,

vs.

CITY OF SAN MATEO by and through the
CITY COUNCIL OF THE CITY OF SAN
MATEO; MATT FABRY, in his capacity as the
Director of the Public Works Department of the
City of San Mateo; and SUSTAINABILITY &
INFRASTRUCTURE COMMISSION OF THE
CITY OF SAN MATEO;
Respondents

CROWN CASTLE FIBER LLC, a New York
limited liability company; VERIZON
WIRELESS, and DOES 1 through 10, inclusive,
Real Parties in Interest.

Case No.: 3:25-cv-06165-JD

**NOTICE AND MOTION FOR
REMAND**

[Removed from the Superior Court of the
State of California, County of San Mateo
(State Court Case No. 25-CIV-04679)]

Hearing Date: October 23, 2025
Time: 10:00 a.m.

Judge: Hon. James Donato
Ctroom: Courtroom 11, 19th Floor
450 Golden Gate Avenue,
San Francisco, CA 94102

Complaint Filed: June 20, 2025
Trial: TBD

NOTICE OF MOTION

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on Thursday, October 23, 2025, at 10:00 a.m., or as soon thereafter as the parties may be heard, Petitioner will and hereby does move this Court at the San Francisco Courthouse, Courtroom 11, 19th Floor 450 Golden Gate Avenue, San Francisco, CA 94102, for an Order remanding this matter back to state court.

This Motion is based on the following documents: this Notice of Motion, [Proposed] Motion and the accompanying Memorandum of Points and Authorities; any oral arguments to be made at the hearing on this Motion; and all the other papers, documents, or exhibits on file or to be filed in this action.

Dated: September 16, 2025



Ariel Strauss

Attorney for Petitioner, Alicia Woodfall-Jones

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[PROPOSED] ORDER

[Removed from the Superior Court of the
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[PROPOSED] ORDER

Petitioner's Motion to Remand came on for hearing on _____, 2025, in the above titled Court, the Honorable James Donato presiding. After consideration of the arguments and evidence submitted supporting and opposing the motion, it is hereby ORDERED that Plaintiff's motion to remand is GRANTED.

This action is remanded to the Superior Court of the State of California, County of San Mateo.

Date: _____

JAMES DONATO

United States District Judge